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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Initial reports of States parties due in 1993

Addendum

SLOVAKIA

[9 January 1996]

I. GENERAL INFORMATION

1. The Slovak Republic was formed on 1 January 1993 under Constitutional Statute No. 542/1992 Coll. on the Dissolution of the Czech and Slovak Federal Republic. The creation of the Slovak Republic was preceded by the Slovak National Council's Declaration of Sovereignty of the Slovak Republic.

2. The quintessential legal instrument which lays down the fundamental human rights and freedoms is the Constitution of the Slovak Republic (No. 460/1992 Coll.) effective as of 1 October 1992. Part Two of the Constitution of the Slovak Republic, "Fundamental Rights and Freedoms", has eight chapters and is devoted to human rights. Each chapter governs a specific group of rights and freedoms. Chapter I, General Provisions, sets out the main principles underlying fundamental rights and freedoms - these are irrevocable, inalienable, imprescribable and perpetual (art. 12, para. 1). The other chapters are:

Chapter 2: Fundamental Human Rights and Freedoms
Chapter 3: Political Rights
Chapter 4: The Rights of National Minorities and Ethnic Groups
Chapter 5: Economic, Social and Cultural Rights
Chapter 6: The Right to Protect the Environment and Cultural Heritage
Chapter 7: Right to Judicial and Other Legal Protection
Chapter 8: Part One and Part Two Joint Provisions.

3. Another legal instrument in the area of the protection of fundamental human rights and freedoms is Constitutional Statute No. 23/1991 Coll. which enacts the Charter of Fundamental Rights and Freedoms as a constitutional statute adopted by the Federal Assembly of the Czech and Slovak Federal Republic. This constitutional statute preserved its legal force also in the legislation of the Slovak Republic after it became an independent State on 1 January 1993.

4. The text of the Charter of Fundamental Rights and Freedoms comprises six chapters linked in both the substance and the logical order - Chapter One: General Provisions, Chapter Two: Human Rights and Fundamental Freedoms, Chapter Three: The Rights of National and Ethnic Minorities, Chapter Four: Economic, Social and Cultural Rights, Chapter Five: Right to Judicial and Other Legal Protection, Chapter Six: Joint Provisions.

5. Their structure is comparable to several international legal instruments on human rights and freedoms - both as regards the methodology and the classification of basic rights and freedoms. An inseparable part of the Charter of Fundamental Rights and Freedoms is the section governing the judicial protection of the citizens' rights and freedoms.

6. Conformity with the Constitution is supervised by the Constitutional Court of the Slovak Republic, an independent judicial body for the protection of constitutionality (the status of the Constitutional Court is set out in the Constitution of the Slovak Republic No. 460/1992 Coll. and its organization and the proceedings before the Constitutional Court as well as the status of its judges are defined in the National Council Act No. 38/1993 Coll.

7. Article 125 of the Constitution of the Slovak Republic states:

> "The Constitutional Court shall have jurisdiction over constitutional conflicts between
>
> (a) laws and the Constitution or constitutional statutes;
>
> (b) regulations passed by the Government or generally binding rules passed by the Ministries or other authorities of the central Government and the Constitution, constitutional statutes, or other laws;
>
> (c) generally binding rules passed by local self-governing bodies and the Constitution or other laws;
>
> (d) generally binding rules passed by local government authorities and the Constitution, other laws or other generally binding rules; and
>
> (e) generally binding rules and international instruments promulgated as established by law."

8. Conflicts between legal instruments of lower force and the Constitution are governed by article 132 of the Constitution: "In cases where the Constitutional Court finds any contradictions in statutory rules as defined by article 125, these rules, parts or clauses thereof shall become ineffective.

The authorities that passed these rules shall be obliged to bring them to conformity with the Constitution and constitutional statutes ... ."

9. In the Slovak Republic, fundamental rights and freedoms receive constitutional protection. Interference with personal rights and freedoms of the citizens is unlawful and, as such, criminal. Considered criminal are only the acts that are unlawful under the Penal Code. Article 2, paragraph 3, of the Constitution states "anyone may act in a way not forbidden by law and no one may be forced to act in a way not prescribed by law". Every person has the right to use a procedure established by law to enforce his right through a court and, in cases provided for under the law, another body of the Republic.

10. Judicial power in the Slovak Republic is exercised by independent and impartial courts (art. 141, Constitution). Unless the law calls for a single judge, the courts decide in panels of judges. The judges decide independently and are bound only by law. The judges are also bound by international treaties in accordance with such procedures as are established by law or the Constitution. Under article 11 of the Constitution, international instruments on human rights and freedoms ratified by the Slovak Republic and promulgated as established by law take precedence over the national laws provided that the international treaties and agreements guarantee broader constitutional rights and freedoms.

11. Accession of the Slovak Republic to the Council of Europe and succession to the European Convention for the Protection of Human Rights and Fundamental Freedoms established the competence of the European Court of Human Rights and the European Commission on Human Rights. The succession to the first Optional Protocol to the International Covenant on Civil and Political Rights established the jurisdiction of the Human Rights Committee over the matters involving the protection of rights and freedoms of the citizens of the Slovak Republic. Under the Convention, and if the required conditions are fulfilled, any physical person, non-governmental organization or group of individuals alleging violation of their rights set out in the Convention and recognized by the signatory State may file an application to the European Commission on Human Rights and, if the procedural rules are fulfilled, have the case tried by the European Court of Human Rights.

II. IMPLEMENTATION OF SPECIFIC ARTICLES OF THE COVENANT

Article 1

12. The Slovak Republic exercised the right of peoples to self-determination when, after the dissolution of the Czech and Slovak Federal Republic, the Slovak people together with persons belonging to national minorities and ethnic groups living on the territory of the Slovak Republic decided to create their own State. The Slovak Republic came into existence on 1 January 1993. The legal framework for the creation of the Slovak Republic was given by Constitutional Statute No. 542/1992 on the Dissolution of the Czech and Slovak Federal Republic. The formation of the Slovak Republic was preceded by the adoption of the Declaration of the Slovak National Council on Sovereignty of the Slovak Republic:

"We, the democratically elected Slovak National Council, hereby solemnly declare that the 1,000-year efforts of the Slovak nation are herewith successfully accomplished.

"In this historic moment, we declare the natural right of the Slovak nation to its own self-determination, as this right is rooted in all international agreements and conventions which speak of the right of nations to self-determination.

"Recognizing the right of all nations to self-determination, we declare our wish to create the form and way of our own national life and State, respecting the rights of all citizens, all nations, all national minorities and ethnic groups, as well as the democratic and humanistic heritage of Europe and the world.

"Through this declaration, the Slovak National Council declares the sovereignty of the Slovak Republic as the foundation for the sovereign state of the Slovak nation".

Article 2

13. The fundamental rights and freedoms laid down in the Covenant are guaranteed to every person under article 12 of the Constitution:

"All human beings are free and equal in dignity and rights. Their fundamental rights and freedoms are inalienable, irrevocable, imprescribable and perpetual. Fundamental rights shall be guaranteed in the Slovak Republic to every person regardless of sex, race, colour, language, faith, religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, birth or any other status and no person shall be denied their legal rights, discriminated against or favoured on any of these grounds."

Article 3

14. The Slovak legal system consistently ensures equal civic and political rights to men and women. Equality of men and women is expressed in article 12, paragraph 2, of the Constitution:

"Fundamental rights and freedoms shall be guaranteed in the Slovak Republic to every person regardless of sex, race, colour, language, faith, religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, birth or any other status, and no person shall be denied their legal rights, discriminated against or favoured on any of these grounds."

15. Women participate widely in public life. They account for 44 per cent of all economically active persons in the national economy. A majority of them work in the areas of social care, education, health care, banking. The proportion of women in overall employment in science, research and development is 39 per cent.

Article 4

16. The constitutional status of citizens in time of public emergency remains unchanged. The right to declare a state of emergency is vested with the President of the Slovak Republic (Constitution, art. 102, para. 1) under Constitutional Statute No. 10/1969 Coll. in the wording of Constitutional Statute No. 160/1990 Coll. and Constitutional Statute No. 133/1991 Coll. In time of public emergency, the State authorities stated in the respective constitutional statute have the right to request the cooperation of any citizen and impose on him certain restrictions or obligations to perform certain tasks. This does not prejudice the rights under articles 6, 7, 8 (paras. 1 and 2), 11, 15, 16 and 18 of the Covenant.

Article 5

17. No legislation passed in the Slovak Republic since its creation brought a restriction upon or derogation from any of the fundamental human rights whose scope was broader than called for under the Covenant when it acquired legal force.

Article 6

18. Capital punishment was abolished in 1990 by the former Czech and Slovak Federal Republic; the legal system of the Slovak Republic does not recognize capital punishment. The Constitution of the Slovak Republic, article 15, paragraph 3, prohibits capital punishment.

Article 7

19. At the beginning of 1995 the Slovak Republic withdrew its reservation to article 20 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. The Slovak Republic thereby recognized the competence of the Committee for the Prevention of Torture, stipulated in article 20 of the Convention.

20. Article 16, paragraph 2, of the Constitution states: "No person shall be subjected to torture or cruel, inhuman or degrading treatment or punishment". The Supreme Court of the Slovak Republic has not recorded any violation of this article.

21. The Penal Code of the Slovak Republic (No. 140/1961 in the wording of later regulations) contains provisions that impose sanctions for cruel, inhuman treatment or punishment. Chapter Ten of the Penal Code, entitled "Criminal Offences against Humanity", states the facts of criminal cases in this area and the respective sentencing guidelines. The Code of Criminal Procedure also contains provisions dealing with inhuman treatment of the accused (sect. 91, "Interrogation of the Accused" states that "Interrogation of the accused shall be conducted so as to provide, to the extent possible, a complete and clear picture of the facts relevant for criminal procedure. The accused shall not be coerced in any way to make a statement or confession and his human integrity shall be respected during the interrogation. Authorities active in criminal proceedings shall corroborate the truthfulness of the accused's confession using other evidence").

22. In carrying out procedural acts in criminal proceedings, all participants in the proceedings must be treated in accordance with the purpose and rehabilitation objective of the proceedings, and their personal dignity and their Constitution-guaranteed rights must be respected at all times.

23. Besides physical coercion of the accused the Code of Criminal Procedure also prohibits psychological pressure. "The questions shall be formulated clearly and intelligibly and shall not contain any deceptive and false facts; no leading questions shall be asked" (sect. 92, para. 3, Code of Criminal Procedure).

24. The penal legislation of the Slovak Republic lays down the principle of humaneness of punishment; this principle, however, does not imply a misplaced lenience or even tolerance for criminal offences and their perpetrators.

Article 8

25. Slavery does not exist in Slovakia.

Article 9

26. Authorities active in pre-trial criminal proceedings and investigating and police authorities have the obligation to carry out procedural acts in accordance with the provisions of the Code of Criminal Procedure. The valid Code of Criminal Procedure prohibits any violation of human rights and freedoms in criminal proceedings. The persons against whom the criminal proceedings are conducted must be instructed of their rights at each stage of the proceedings, in particular of their right to defence counsel. If mandatory defence is required in the case, and the accused did not choose his counsel, he must be assigned counsel ex lege. The supervision of lawfulness in the implementation of human rights and freedoms is carried out by individual departments of the Ministry of Interior and the general supervision body which examines the complaints by citizens against police procedures. In addition, the lawfulness of procedures used by investigating and police authorities is also supervised by prosecutors. Examples of some provisions of the Code of Criminal Procedure:

(a) "No one shall be prosecuted as accused on other grounds than those established by law and in any other manner than that provided for under the present Code" (sect. 2, para. 12);

(b) "Any person charged with an offence shall be presumed innocent until proven guilty by a final sentencing judgement of a court" (sect. 2, para. 2);

(c) "If any of the grounds for custody are present (sect. 67) and if the matter is urgent and the custody decision cannot be obtained in advance, the investigator may place the accused in preliminary detention. He shall, however, promptly report the detention to a prosecutor and submit him a duplicate of the report drawn up upon the detention and other documents the prosecutor needs to file a motion for the remand in custody. The motion must be filed so as to enable the accused's being handed over to a court within a maximum of 24 hours after the apprehension or he must be released" (sect. 75);

(d) "If any of the grounds for custody (sect. 67) are present, an investigator may detain a person suspected of a crime even before any charge has been pressed against that person. The detention requires a prior authorization by a prosecutor. Without such authorization the detention shall only be possible if the matter is urgent and if it was not possible to secure the authorization in advance, in particular if the person concerned was caught in the act of committing a crime or attempting to escape" (sect. 76, para. 1);

(e) "If, on the basis of the file received and/or further questioning of the detainee, a prosecutor does not issue the order to release such person, he shall have to hand the detainee over to a court not later than 24 hours from the moment of apprehension or of taking him over, with a proposal to place the person in custody. He shall attach any evidence collected up to that point to the proposal" (sect. 77).

27. The accused can only be arrested under a lawful written order of a court. The detained person must be heard by a judge not later than within 24 hours from being taken over and the judge must decide either to detain the person in custody or release him. A person may be detained in custody only on the grounds and for the period established by law and under a court order. If the grounds for the custody decision are appealed against, the decision of a first-instance court is reviewed by a second-instance court which examines the accused's or the prosecutor's complaint against the decision of a lower court. The accused can be placed in custody only if there are reasonable grounds to fear he would try to escape or go into hiding to prevent criminal prosecution, if his identity cannot be immediately established, if he has no permanent domicile, if there are reasonable grounds to fear he would try to influence the witnesses or co-accused or otherwise obstruct the clarification of the facts relevant for criminal prosecution or if there are grounds to fear he would continue in his criminal activity, complete the crime he had attempted or accomplish the criminal offence he has prepared or threatened to commit. The accused can also be detained in custody if he is under criminal prosecution in respect of a criminal offence for which the law sets out the sentence of at least eight years of imprisonment, even if the grounds for custody specified above are not present.

28. A person can be detained in custody only after charges have been brought against him. The custody order is issued by a court and, in pre-trial proceedings, a judge on the motion by a prosecutor.

Article 10

29. In the Slovak Republic, all persons deprived of their liberty receive humane treatment. Execution of the judgement must not degrade human dignity. The purpose of the sentence is to protect the society from criminal offenders, to prevent the sentenced person from committing other crimes, and to rehabilitate him so that he may lead a decent life and, in this way, exert educational influence on other members of the society (sect. 23, Penal Code). The central authority in the penitentiary system is the Ministry of Justice. This Ministry has competence in matters relating to serving a sentence involving the deprivation of liberty (an imprisonment sentence). This area is governed by the Execution of Imprisonment Sentence Act No. 59/1965 Coll. in the wording of later regulations and the Ordinance of the Ministry of Justice

of the Slovak Republic No. 125/1994 Coll., adopted on the basis thereof, setting out the Rules for the Execution of Imprisonment Sentences. A new sentence execution act, currently at the draft stage, will further humanize the execution of imprisonment sentences.

30. Persons in custody are strictly segregated from convicted offenders. Custody detention takes place in the Ministry of Justice's custody institutions. The restrictions imposed on a person kept in custody are limited to those necessary for ensuring the proper course of criminal proceedings. Juvenile persons are placed in cells separately from other accused.

31. The presiding judge of a panel may suspend execution of an imprisonment sentence, for a time he deems necessary, if execution of the sentence threatens the life or health of the convicted person. The presiding judge of a panel defers execution of an imprisonment sentence for a pregnant woman or a mother of a newborn child for a period of one year following the delivery (sect. 322, Penal Code). The court may waive execution of the judgement or its remainder if it has been established that the person serving an imprisonment sentence suffers from a terminal disease or incurable mental illness (sect. 327, Code of Criminal Procedure). The Penal Code in its sections 331-333 also sets substantive conditions under which a sentenced person may be conditionally released. The conditional release proceedings are governed by procedural provisions of the Code of Criminal Procedure (sects. 331-333).

Article 11

32. The legislation of the Slovak Republic does not provide for debtors' prisons because it does not recognize this concept. However article 17, paragraph 2, of the Constitution states that no person shall be deprived of liberty merely for his or her inability to fulfil a contractual obligation.

Article 12

33. In the Slovak Republic, liberty of movement and freedom to choose one's residence are guaranteed by the Constitution. Everyone lawfully within the territory of the Slovak Republic is free to leave its territory. These freedoms may be restricted by law if this is necessary to protect national security, public order, public health or the rights and freedoms of others and, in specified areas, also in the interest of the protection of nature. Every citizen of the Slovak Republic has the right to freely enter his own country. No citizen may be forced to leave his own country, expelled or extradited to another country. Foreign nationals can only be expelled in cases which are provided by law (art. 23, Constitution).

34. A citizen of the Slovak Republic may leave his country and stay abroad only with a valid travel document. Travel document applications are submitted to the passport and visa authority of the Ministry of Interior; this body decides on issuing the travel document under Act No. 216/1991 Coll. on travel documents and travelling abroad.

35. Practically no European country requires a visa for the nationals of the Slovak Republic (exceptions are Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia). Besides reasons provided by law there are no restrictions on the travel of Slovak citizens abroad, be it on business, private travel or tourism.

Article 13

36. "Aliens may be expelled only in cases provided by law" (art. 23, para. 5, Constitution).

37. "If the safety of persons or property or other general interest require it, a court may impose an expulsion sentence on an offender who is not a Slovak citizen or a person who was not granted the status of a refugee either as a separate sentence or joined to another sentence" (sect. 57, Penal Code).

Article 14

38. The guarantees of the accused's rights in criminal proceedings, given in article 14 of the Covenant, have been fully transposed into Slovak legislation; certain provisions of the Code of Criminal Procedure and the Penal Code even transcend the scope of rights laid down in the Covenant.

39. The Act of the National Council of the Slovak Republic No. 12/1993 Coll., amending and modifying Act No. 335/1991 Coll. on the Judiciary, enacts the following structure of the court system in the Slovak Republic: Supreme Court of the Slovak Republic, regional and district courts, Higher Military Court and circuit military courts and, at the time of military preparedness of the State, also higher and lower courts-marshal.

40. The judiciary of the Slovak Republic is made up of a hierarchically structured system of courts with jurisdiction on matters not reserved for the Constitutional Court of the Slovak Republic. At the lowest level of the court system are the district courts. At the middle level, judicial functions are performed by the regional courts acting as appellate instance against decisions of district courts and as first-instance courts in matters placed under their jurisdiction by law. Section 17 of the Code of Criminal Procedure defines the substantive jurisdiction of regional courts: "Regional courts act as first-instance courts in respect of criminal offences punishable under the law by the sentence of minimum eight years of imprisonment or by an exceptional punishment. Regional courts shall also act as first-instance courts in respect of criminal offences of terrorism, diversion, sabotage, tax evasion under section 148, paragraph 5, Penal Code, criminal offences set out under separate legislation (act on combating organized forms of crime No. 249/1994 Coll.) and criminal offences under the act on the safeguarding of peace, even if the minimum imposable sentence is lower". In the latter cases, regular legal remedies against decisions of regional courts as first-instance courts are reviewed, in the second instance, by the Supreme Court of the Slovak Republic. The Supreme Court of the Slovak Republic, besides acting as appellate court on decisions taken in the first instance by regional courts, also performs judicial supervision over lawfulness of court decisions (it

decides on "exceptional legal remedies" in civil cases and on "appeals on points of law" in criminal matters) and oversees uniform interpretation of laws by lower-instance courts.

41. The principle of public court hearings is enshrined in the Constitution. The public may be excluded from the court proceedings only if:

(a) State, business or service secrecy could be endangered;

(b) The regular course of the proceedings could be threatened;

(c) Public morals could be endangered;

(d) It is in the accused's interest or if it meets an important interest of the parties to the proceedings;

(e) There is a security risk or the need to protect other important interests of the witnesses;

(f) A hearing of an undercover agent takes place.

The judgement must always be pronounced in public.

42. Any person charged with an offence shall be presumed innocent until proven guilty by a final sentencing judgement of a court. The Code of Criminal Procedure distinguishes between the regular and the exceptional legal remedies against decisions of lower-instance courts. Regular legal remedies are appeals and complaints. Appeals are legal remedies against the judgements of first-instance courts. They have a suspensive effect (sect. 245, paras. 1, 2 Code of Criminal Procedure). Appeals can be lodged to challenge any judgement of a first-instance court.

43. Legal remedies against rulings are called the complaints. The complaints can be lodged to challenge any ruling made by an investigator or a police authority. A complaint may be lodged to challenge the ruling of a court or a prosecutor only in those cases where expressly provided by law and if the court has decided the matter in the first instance.

44. An exceptional legal remedy in criminal cases is a new trial. The case that ended in a final sentence shall be reopened if new facts or evidence previously unknown to the court come to light and if they, by themselves or in combination with the previously established facts and evidence, could justify a different verdict on the guilt or damage or if, in the light of these facts or evidence, the initial sentence was clearly not commensurate to the danger of the offence for the society or the situation of the offender, or if the type of sentence imposed would clearly be in conflict with the purpose of punishment (sects. 277-289, Code of Criminal Procedure). For similar reasons, the case shall also be reopened if it was closed with a final ruling of a court, prosecutor or investigator on the termination of criminal proceedings. "Retrial in a case that was closed in one of the above ways shall also be authorized if it is established, by a final judgement, that a police authority investigator, prosecutor or judge in the initial proceedings was guilty of infraction of their obligations and their acts had the traits of a criminal

offence" (sect. 278, para. 4, Code of Criminal Procedure). A retrial that would prejudice the accused is prohibited if his offence is no longer qualified as criminal, if the accused died or if the President of the Republic decides by an order to terminate the prosecution (sect. 279, Code of Criminal Procedure).

45. Sections 266-276 of the Code of Criminal Procedure lay down the concept of appeal on points of law and the related proceedings: "The final decision of a court which violates the law and the final decision of a court made on the basis of irregularities in procedural acts may be appealed by the Prosecutor General or the Minister of Justice at the Supreme Court by means of an objection on points of law. The Prosecutor General may file such objection also against similar decisions by a prosecutor, investigator or a police authority" (sect. 266, para. 1, Code of Criminal Procedure).

46. Legal remedies in civil cases are appeal, retrial and exceptional appeal. An appeal can be filed as a regular legal remedy against a first-instance decision. Retrial and exceptional appeal are exceptional legal remedies. The motion for retrial can challenge, under conditions set out in the Code of Civil Judicial Procedure, any final decision of a court except for the judgements that resulted in divorce, annulment or nullifying a marriage and except for cases in which the remedy can be obtained in a different way.

47. The exceptional appeal can, under conditions set out in the Code of Civil Judicial Procedure, be lodged not only to challenge the final decision of an appellate court but, on the motion by the Prosecutor General and the Minister of Justice and the President of the Supreme Court of the Slovak Republic, also to challenge a final decision of a first-instance court if it violates the law.

48. Exceptional appeals are always heard by the Supreme Court of the Slovak Republic. No person may be prosecuted for an offence in respect of which the person has already been finally convicted or acquitted. This principle does not rule out the use of exceptional legal remedy provided by law (art. 50, para. 5, Constitution).

49. The right to defence counsel is laid down in article 50, paragraph 3 of the Constitution, which states that any person charged with an offence shall have the possibility to prepare his defence and have the right to defend the case by himself and by counsel. The constitutional principle of the right to defence is specifically expressed in the respective provisions of the Code of Criminal Procedure (sects. 35-41) and in the Act on the Advocacy. The Code of Criminal Procedure also provides for mandatory defence of the accused by counsel already during pre-trial proceedings if the accused is detained in custody or is serving a prison sentence, or is under observation in a medical institution, if he has been divested of legal capacity or if this capacity is restricted, if the proceedings are conducted against a juvenile (i.e. the defendant's age is 15 to 18) or if the proceedings are conducted against an escaped prisoner. The accused must also have counsel if the court - or the investigator or prosecutor in pre-trial proceedings - considers it necessary, in particular if in doubt about the accused's capacity of adequate defence because of a physical or mental handicap. The accused must have counsel already at the pre-trial stage also if the respective criminal case is

punishable by a maximum sentence of more than five years of imprisonment. The accused must have counsel if the case involves extradition and in the proceedings involving the imposition of mandatory protective treatment, apart from protective alcohol abuse treatment. Any accused can choose his counsel. If the accused in a case requiring the so-called mandatory defence does not choose counsel within the prescribed period of time, he is assigned a counsel by the presiding judge of a panel of the competent court or, in pre-trial proceedings, by a judge.

50. Among other basic principles of the Slovak Republic's legislation, attention should be given especially to the principles enshrined in the Constitution of the Slovak Republic and defined in more detail in the respective legal provisions. They include, for example, the principle according to which any person may exercise his right, using procedures established by law, to have his case heard by an independent and impartial court of law or, in cases provided by law, by another public authority of the Slovak Republic.

51. Any person who alleges the curtailment of his rights by the decision of a public authority may turn to a court of law to have the lawfulness of the decision reviewed, unless otherwise provided by law. The review of the decisions involving fundamental rights and freedoms shall not be excluded from the jurisdiction of the courts of law. Every person shall have the right to recover damages for a loss inflicted as a result of an unlawful decision of a court or a governmental or public authority, or as a result of improper official procedure.

52. Any person has the right to refuse to testify if the testimony could entail criminal prosecution against himself or against a person close to him (sect. 100, Code of Criminal Procedure, art. 47, para. 1, Constitution). Every person has also the right to counsel in the proceedings before a court or a governmental or public authority, from the outset of the proceedings and under conditions stipulated by law.

53. Article 127 of the Constitution of the Slovak Republic defines the role of the Constitutional Court of the Slovak Republic which includes its power to decide on a complaint lodged by a citizen against the final decision of a State authority. This article provides for constitutional protection of fundamental rights and freedoms of citizens as follows: "The Constitutional Court shall review the challenges to final decisions made by central government authorities, local government authorities and local self-governing bodies in cases involving the violation of fundamental rights and freedoms of citizens, unless the protection of such rights falls under the jurisdiction of another court."

54. A person who cannot understand or speak the language used in court has the right to the assistance of an interpreter. "Every person shall have the right to use his mother tongue before authorities active in criminal proceedings (sect. 4, para. 14, Code of Criminal Procedure).

55. The Constitution of the Slovak Republic stipulates that no one may be taken out of the competence of his judge. Every person has the right to have

his case tried publicly without unreasonable delay, to be present at the proceedings, and to comment on any evidence examined therein. The public can be excluded only in cases specified by law.

56. Proceedings instituted against juveniles have certain specific features which reflect the increased attention to this population group and are regulated under provisions of sections 74 to 87 of the Penal Code and sections 291 to 301 of the Code of Criminal Procedure. The most important attributes are the following:

(a) From the moment a charge has been brought against a juvenile, the juvenile must have counsel who has the right to take part in the investigation procedures;

(b) Even if the grounds for custody are present, a juvenile may be detained in custody only if the purpose of the custody cannot be secured in another way;

(c) The range of sentences that can be imposed on juvenile offenders is narrower;

(d) The duration of sentences for juvenile offenders is reduced by one half;

(e) Juvenile offenders serve their imprisonment sentences separately from adult offenders;

(f) The possibility of protective education as a specific type of educational measure carried out in educational facilities.

Article 15

57. The legislation of the Slovak Republic does not recognize retroactivity of legislation. As regards criminal legislation, the general rule in the Slovak Republic is that the law applied in criminal proceedings is the law effective at the time when the criminal act was committed. Under the legislation of the Slovak Republic and in compliance with the general legal principles of the United Nations, the prescription period does not apply to the criminal offences of:

(a) Genocide, support for and propagation of movements conducive to the suppression of rights and freedoms of citizens, use of prohibited means of combat and unlawful conduct of combat, war cruelty, plunder in the theatre of military operations and abuse of internationally recognized signs (such as the Red Cross' and State symbols, the criminal offence of torture and other inhuman and cruel treatment, the criminal offence of persecution of the population;

(b) Terrorism, public threat, murder, bodily harm, restriction of personal liberty, deprivation of personal liberty, abduction abroad and violation of domicile, if committed under circumstances qualifying them as war crimes or crimes against humanity under international law principles;

(c) Warmongering, war propaganda, or the support for war propaganda under section 1, Act No. 165/1950 Coll. on the safeguarding of peace.

Article 16

58. A natural person acquires the capacity to have rights and obligations (is recognized as a person before the law) at birth. Under the legislation of the Slovak Republic, such capacity is also recognized in the conceived child, if born live (sect. 7, para. 1, Civil Code). Recognition as a person before the law is the same for all persons and cannot be restricted. It terminates with the death of a person. If the death cannot be established using the prescribed procedures, the court declares the physical person dead based upon a different proof of death. A court may also pronounce a missing physical person dead if, all the facts considered, it has reasonable grounds to believe that the person is no longer alive. The pronouncement of a person's death may be repealed or revised under conditions stipulated in section 199 of the Code of Civil Judicial Procedure. A person comes of age upon the completion of his 18th birthday. Before this age, a person can become of age only upon the conclusion of a marriage.

59. "If a person suffers from a mental disorder which is not of a temporary character and which prevents him from being able to perform legal acts, a court divests him of his legal capacity. If a person suffering from a mental disorder which is not of a temporary character or abusing alcoholic beverages, narcotics or poisons can perform only certain limited legal acts, a court restricts his legal capacity and issues a rule in which it determines the extent of the restriction. The court changes or repeals its ruling on the deprivation or restriction of legal capacity if the reasons for the decision change or cease to exist" (sect. 10, Civil Code).

Article 17

60. In its articles 16, 19 and 21 the Constitution of the Slovak Republic guarantees the right to integrity and privacy to every person. This right may be limited only in cases specifically provided by law. Every person has the right to be protected from unjustified interference with his private and family life. The sanctity of the home is inviolable. It is not permitted to enter a home without the consent of the person residing therein. House search is justified only in connection with criminal proceedings and can only be performed on a written order by a judge. The methods used in the search are established by law.

61. The law may permit other interferences with inviolability of a home only when this is required in a democratic society, in order to protect life, health, property, civil rights and freedoms or to avert a serious threat to public order. If a home is used to conduct business or other entrepreneurial activities, such interferences can be permitted by law also when this is inevitable for fulfilling the tasks of public administration. House and personal search are regulated by the Code of Criminal Procedure, sections 82 to 85. A house search can be authorized if there are reasonable grounds to believe that a thing relevant to criminal proceedings may be found or a person

suspected of a crime is hiding in that house or other places used for residential purposes or premises attached to them (dwellings) (sect. 82, Code of Criminal Procedure).

62. The right to issue a search warrant is vested with the presiding judge of a panel and, in pre-trial proceedings, a judge upon the motion by a prosecutor. The house search warrant must be issued in writing and justified. It is served on a person whose home is to be searched at the time of the search and, if this is not possible, not later than 24 hours after the impediment that prevented the service was lifted (sect. 83, Code of Criminal Procedure). The authority that performs the house search must enable the owner of the home being searched or another adult member of the household to be present at the search. It must instruct these persons of their right to be present at the search (sect. 85, para. 1, Code of Criminal Procedure). Section 238 of the Penal Code lays down the sanctions for violating house privacy, unauthorized entry into a house or dwelling of another person and for the person staying in such places without authorization.

63. Concerning the right to honour, the Constitution of the Slovak Republic sets out the following in article 19, paragraph 1: "Every person shall have the right to maintain and protect his or her dignity, honour, reputation and goodwill". Section 206 of the Penal Code describes the criminal offence of slander as follows: "Any person spreading false information about another person that can potentially damage the latter's reputation among fellow citizens, in particular prejudice his employment, disturb family relations or cause another serious harm, shall be punished by imprisonment of up to two years or by a pecuniary penalty. The offender will be punished by the deprivation of liberty of one to five years or a pecuniary penalty or the ban on his activity if, in committing such offence, he uses printed media, film, radio, television or another method of similar efficiency."

64. Correspondence also enjoys constitutional protection: "Secrecy of letters, other communications and written messages delivered by post and personal information shall be guaranteed. No one shall violate the secrecy of letters, other communications and written messages kept private or delivered by post or otherwise, except in cases specified by law. This provision applies to communications delivered by telephone, telegraph and other similar means." Sections 239 and 240 of the Penal Code impose sentences for the violation of the secrecy of delivered communications. Under certain circumstances, established by law, it is possible to intercept and open a mail consignment and to wiretap telephone conversations. These circumstances are provided for in the Code of Criminal Procedure, sections 86 to 88: "If the clarification of facts relevant for criminal proceedings makes it necessary to identify the content of undelivered telegrams, letters or other private communications dispatched by or addressed to the accused, the presiding judge of a panel or, in pre-trial proceedings, a prosecutor or an investigator shall issue an order to the post office of the mail delivery organization to surrender such private communications; the investigator may do so only upon a prior authorization by a prosecutor." and "If the criminal proceedings are held in respect of an intentional and exceptionally serious criminal offence or an intentional criminal offence the prosecution of which is mandatory under a promulgated international treaty, or a criminal offence set out under separate legislation, the presiding judge of a panel or, in pre-trial

proceedings, a prosecutor or an investigator may order the wiretapping of telephone lines and the recording of private communications if there are reasonable grounds to believe that important facts for criminal proceedings may thus be revealed. It shall not be allowed to intercept and record private communications between counsel and the accused."

Article 18

65. Freedom of thought, conscience, religion and faith are guaranteed. This right also includes the right to adopt a religion or belief of one's choice. Every person has the right to be without religious affiliation. Every person has the right to express his opinion publicly. Every person has the right to freely express his religion or faith alone or in association with others, privately of publicly, by worship, religious services or ceremonies and participation in religious instruction.

66. Churches and ecclesiastical communities administer their own affairs, appoint their clergy, organize religious instruction and set up religious orders and other religious institutions, independently of public authorities. The conditions for the exercise of these rights can only be restricted by law if such a measure is necessary, in a democratic society, for the protection of public order, health and morals or of the rights and freedoms of other persons (art. 24, Constitution).

67. In addition to the Constitution, freedom of religious conviction and faith in the Slovak Republic is also guaranteed under Act No. 308/1991 Coll. on freedom of religion and the status of churches and religious societies. The support the State provides to registered churches and religious societies, primarily in the form of financial subsidies and the possibility of their participation in public life, exceeds the framework of fundamental rights. Members and sympathizers of unregistered churches are equal citizens and may freely exercise their faith without any limitation, providing they respect the State legal system.

68. At its session the National Council of the Slovak Republic passed in 1993 Act No. 282/1993 Coll. on the mitigation of certain property injustices done to churches and religious societies.

69. Section 236 of the Penal Code stipulates sanctions for the restriction of the freedom of religion.

Article 19

70. Freedom of expression is the freedom to publicly set forth one's opinions and present the results of creative work through words, print and pictures, encompassing all the areas of life of the society.

71. Freedom of expression is constitutionally guaranteed: "Freedom of expression and the right to information shall be guaranteed. Every person has the right to express his opinion in words, writing, print, images and any other means, and also to seek, receive and disseminate ideas and information both nationally and internationally. No approval process is required for the publication of printed media. Radio and television companies may be required

to seek permission from governmental authorities to set up private businesses. The details are set out in article 26, paragraph 2, of the Constitution. Censorship is prohibited.

72. "Freedom of expression and the right to receive and disseminate information may be lawfully limited only where, in a democratic society, it is necessary to protect rights and freedoms of others, national security, law and order, public health and morals" (art. 26, Constitution).

73. The responsibility for the protection of the society and citizens against abuses of the freedom of expression, speech and press lies with the publishers, editors-in-chief, editors and authors as provided by law.

74. Television and radio broadcasting is regulated by Act No. 468/1991 Coll. on radio and television broadcasting which the Steering Committee for the Mass Media of the Council of Europe and the International Media Fund (United States) consider to be one of the most democratic laws in Central and Eastern Europe. The legal standard that links up to that basic law is Act No. 291/1992 Coll. on the Slovak Republic's Council for Radio and Television Broadcasting. Act No. 166/1993 Coll. of the National Council of the Slovak Republic on measures in the area of radio and television broadcasting confirmed the principle of a dual system in radio and television broadcasting by dividing the transmission networks between the ex lege operators (Slovak Television and Slovak Radio) and operators who were issued licenses by the Slovak Republic's Council for Radio and Television Broadcasting.

75. Practical implementation of the dual broadcasting system can be documented by the following data:

(a) Number of licenses granted by the end of 1994:

(i) 8 radio broadcasting licences;

(ii) 4 regional licenses for television broadcasting using terrestrial transmitters;

(iii) 25 licences for cable television broadcasting;

(iv) 27 licences for cable television (of unaltered programmes);

(b) Licence proceedings currently take place in respect of the second and third television channels.

76. The Slovak Republic's Council for Radio and Television Broadcasting has been in existence since June 1992 as an independent body elected by the National Council of the Slovak Republic; its most important task is to protect and promote public interest in maintaining the freedom of expression and right to information. Its work so far proves that it has preserved its independence.

Article 20

77. In keeping with this article of the Covenant, any propaganda for war is prohibited under Act No. 165/1950 Coll. on the safeguarding of peace. The Penal Code of the Slovak Republic bans violence, hostility, and national, racial or religious hatred. Penal sanctions against the perpetrators of such criminal offences are set out in its sections 196 and 197a - Violence against a Group of Inhabitants and against an Individual; section 198 - Defamation of a Nation, Race and Conviction; sections 260 and 261 - Promotion and Propagation of Movements Leading towards the Suppression of Rights and Freedoms of Citizens; section 259 - Genocide.

Article 21

78. The right of assembly is guaranteed by the Constitution of the Slovak Republic and is laid down in its article 28: "The right to peaceful assembly shall be guaranteed." The conditions under which this right may be exercised shall be provided by law in cases of meetings held in public places where, in a democratic society, it is necessary to protect rights and freedoms of other persons, public order, health and morals, property or national security. No approval by public administration bodies shall be required for such meetings, but the entity convening them must fulfil the notification requirement. All the assemblies held so far on the territory of the Slovak Republic were in compliance with the legislation in force and there were no cases calling for an intervention by the police.

Article 22

79. The right to freedom of association enjoys constitutional protection under articles 29 and 37 of the Constitution of the Slovak Republic. Everyone has the right to associate freely with other persons in unions, societies and other associations. Citizens may form political parties and political movements and associate therein. The exercise of these rights may be limited only in cases justified by law where, in a democratic society, it is necessary to protect national security and public order, prevent crime and protect the rights and freedoms of other persons. Political parties and political movements, as well as unions, societies or associations, shall be separate from the State (art. 29, Constitution).

80. Everyone has the right to freely associate with other persons to protect his economic and social interests. Trade union organizations are set up independently of the State. It is inadmissible to limit the number of trade union organizations or to favour some of them over others in a company or in a branch of industry. Activities of trade union organizations and the creation and actions of other associations for the protection of economic and social interests can be restricted by law, if this is a measure necessary in a democratic society to protect national security, public order or the rights and freedoms of others.

81. The legislation governing the association of citizens includes Act No. 83/1990 Coll. on the association of citizens, in the wording of Act No. 300/1990 Coll. and Act No. 62/1993 Coll.

82. The precondition for creating political parties and movements, civic associations (apart from trade union organizations and employers' organizations) is their registration. At present, 48 political parties, 20 political movements and over 10,000 civic associations are registered in the Slovak Republic.

Article 23

83. The institution of the family is guaranteed under the Constitution of the Slovak Republic which makes a reference to the law providing its detailed legal regulation, namely the Family Act No. 94/1963 Coll. in the wording of Act No. 132/1982 Coll.:

> "Marriage is concluded upon a voluntary decision by a man and a woman to create a harmonious, solid and permanent life-long union" section 1, Family Act. Legal age for entering into marriage is 18 years, i.e. when a person comes of age. In exceptional cases, marriage can be concluded by a person that has turned 16. A person younger than 18 years of age must, before entering into marriage, obtain a court permission. A person younger than 16 years of age may not enter into marriage.

84. The legislation of the Slovak Republic respects the free choice of the spouses-to-be as to the nuptial ceremony. The marriage can be concluded either before a civil or a religious authority. Both spouses in a matrimony have equal rights and responsibilities. A marriage may be dissolved by a court decision if one of the spouses files for divorce and if the marriage is so seriously disturbed that it can no longer fulfil its social mission. In issuing a divorce award, the court must take special account of the interests of minor children. The court will also decide on which of the parents will be entrusted the custody of the children and on the child support payment.

Article 24

85. The protection of children is provided for under Family Act No. 94/1963 Coll. and Act No. 132/1982 modifying and amending the Family Act, and Act No. 50/1973 Coll. on foster care, in the wording of later regulations.

86. Every child is given a name at birth and is entered into the birth registry in the district in which it was born. Children born both within marriage and out of lawful wedlock have equal rights. Child care and upbringing are the right of parents; children have the right to parental care and upbringing. Parents taking care of their children are entitled to benefits from the State. The State provides financial assistance to families with children. Families with numerous children enjoy extra benefits.

87. The legislation of the Slovak Republic enshrines the ius sanguinis principle under which a child acquires the nationality of its parents. A child born on the territory of the Slovak Republic whose parents are not known is also considered a national of the Slovak Republic until proof is obtained that the child acquired the nationality of another State.

Article 25

88. The right to take part in the conduct of public affairs is laid down in article 30 of the Constitution: "Citizens shall have the right to participate in the administration of public affairs directly or by freely elected representatives. Elections shall be held within periods of time not exceeding the terms fixed by law. The right to vote is universal, equal and direct and election is held by secret ballot. Citizens have access, on general terms of equality, to elected and other public services."

89. Citizens take part in the conduct of public affairs indirectly - through elections - or directly - through a referendum. The referendum is governed by articles 93 to 100, of the Constitution. Detailed legal provisions on a referendum are laid down in Act No. 564/1994 Coll. of the National Council of the Slovak Republic on procedures for holding a referendum in the wording of Act of the National Council of the Slovak Republic No. 158/1994 Coll.

Article 26

90. The Slovak legislation respects the equality of citizens before the law and grants them equal protection without discrimination. According to article 47, paragraphs 2 and 3, of the Constitution, "Every person shall have the right to counsel from the outset of proceedings before any court of law, or a governmental or public authority as provided by law" and "All parties to any proceedings pursuant to paragraph 2 shall be treated equally before the law."

Article 27

91. The legal system of the Slovak Republic fully respects the rights of the minorities (ethnic, religious or linguistic) living on the territory of the Slovak Republic.

92. According to census data as of 31 December 1994, the population of the Slovak Republic was 5,356,207 persons, with the following breakdown by national origin:

National origin	No.	%
Slovak	4 590 100	85.7
Hungarian	568 714	10.6
Romany	83 988	1.6
Czech	51 293	1.0
Ruthenian	17 277	0.3
Ukrainian	14 341	0.3
German	5 380	0.1
Moravian, Silesian	6 361	0.1
Polish	3 039	0.1
Other and unidentified	15 714	0.2
Total population	5 356 207	100.0

93. The rights of national minorities in the Slovak Republic are guaranteed by the Constitution. The principle of free choice of nationality and the prohibition of all types of oppression conducive to denationalization are laid down in article 12, paragraph 3, of the Constitution. Further guarantees for the legal status of national minorities are provided by international agreements on human rights and fundamental freedoms ratified by the Slovak Republic and promulgated as established by law.

94. The entire Part Four of the Constitution of the Slovak Republic deals with the rights of national minorities and ethnic groups. Membership in any national minority or ethnic group may not be used to prejudice any individual. Citizens belonging to national minorities or ethnic groups in the Slovak Republic are guaranteed the right to comprehensive development, particularly to promoting their cultural heritage together with other persons belonging to the same national minority or ethnic group, to receiving and disseminating information in their mother tongues, forming associations, and creating and maintaining educational and cultural institutions.

95. In addition to the right to learn the State language, the citizens of national minorities or ethnic groups are, under provisions fixed by law, also guaranteed:

(a) The right to be educated in a minority language;

(b) The right to use a minority language in official communications;

(c) The right to participate in taking decisions on matters affecting national minorities and ethnic groups.

96. The linguistic rights of national minorities are guaranteed under the Code of Civil Judicial Procedure and the Code of Criminal Procedure authorizing them to use a minority language before a court (sect. 18, CCJP; sect. 2, para. 14, CCP) and Act No. 428/1990 Coll. on the official language in the Slovak Republic under which a minority language may be used in official communications wherever the percentage of the respective minority is at least 20 per cent. Section 6, paragraph 2, of the Act states: "If persons belonging to a national minority constitute at least 20 per cent of the population of a town or a community, they can use their minority language in official communications. If the person engaged in official communication in such towns or communities is not a person belonging to a national minority, official communication takes place in the official language. Persons who are employees of State authorities and self-governing bodies do not have the obligation to understand and speak the language of a national minority. Public deeds and file records are executed in the official language."

97. On 24 September 1993, the Slovak parliament passed the Act of the National Council of the Slovak Republic on Names and Surnames which expands the possibilities of the persons belonging to national minorities to use their names and surnames in their mother tongue. The system of minority education in the Slovak Republic comprises the use of minority language instruction at all levels, from kindergarten up to the higher education level.

98. In the school year 1994/95, the network of schools in the Slovak Republic comprised:

(a) Two hundred and ninety-nine elementary schools with Hungarian as instruction language, total enrolment 45,467 pupils;

(b) Four elementary parochial schools with Hungarian as instruction language, enrolment 856 pupils;

(c) Twenty-one gymnasium-type schools with Hungarian as instruction language, enrolment 4,892 pupils;

(d) One private gymnasium with Hungarian as instruction language, enrolment 132 pupils;

(e) One parochial gymnasium with Hungarian as instruction language, enrolment 133 pupils;

(f) Twenty-four secondary vocational schools with Hungarian as instruction language, enrolment 4,488 pupils;

(g) Thirty-six secondary apprentice-training centres with Hungarian as instruction language, enrolment 8,476 pupils;

(h) Five private secondary apprentice-training centres with Hungarian as instruction language;

(i) Thirty-eight special schools with Hungarian as instruction language;

(j) Three secondary special apprentice-training centre with Hungarian as instruction language;

(k) Two schools with minority languages as the languages of instruction, teaching certain subjects in mother tongues of national minorities (schools with German and Ukrainian as instruction languages);

(l) Thirteen elementary schools with Ukrainian as instruction language, enrolment 770 pupils;

(m) Five elementary schools with German as instruction language, enrolment 296 pupils.

99. Higher education is offered by the Hungarian Language and Literature Department at Comenius University in Bratislava, and the Hungarian sections at the University of Education in Nitra. A similar section for ethnic Ukrainian students exists at the Faculty of Education in Prešov.

100. The cultural life of national minorities is also cultivated by means of national minority theatres, artistic ensembles, publishing houses, periodical press, etc.

101. The development of minority culture is supported by the Ministry of Culture of the Slovak Republic at several levels, as described below.

102. There are dedicated budget allocations for the cultural activities of civic associations promoting minority culture. The Ministry of Culture currently allocates financial resources to the following civic associations (the number of civic associations registered with the Ministry of Interior of the Slovak Republic is considerably higher - there are over 30 Romany associations alone):

1. CSEMADOK - the Hungarian Social and Cultural Union in Slovakia

2. Romany cultural unions
   - Romani kultura
   - ROMA GEMER
   - Cultural Union of the Romany Community

3. The Czech Club in Slovakia

4. The Club of Moravians in Slovakia

5. The Union of Ruthenians - Ukrainians

6. The Ruthenian Revival

7. The Carpathian German Union in Slovakia

8. The Croatian Cultural Union in Slovakia

9. The Cultural Union of Bulgarians and Their Friends in Slovakia

10. The Hungarian People's Movement for Reconciliation and Prosperity

11. Cultural Club of Jewish Citizens of Slovakia.

103. The provision of financial contributions for the publication of individual periodicals is as follows:

1. Seven periodicals for the Hungarian minority culture

2. Four periodicals for the Ukrainian minority culture

3. Three periodicals for the Romany minority culture

4. Two periodicals for the Ruthenian minority culture

5. One periodical for the Czech minority culture

6. One periodical for the Moravian minority culture

7. One periodical for the German minority culture

8. Supplements to "Slovenská republika" and "Hlas ludu" in the languages of national minorities.

104. There is also provision of financial contributions for the publication of non-periodical literature. Funds for publishing individual titles are granted either to publishing houses chosen through tender proceedings or to publishing houses set up within the cultural unions promoting the minority culture. In 1995, the Ministry of Culture of the Slovak Republic allocated funds for publishing 15 titles of the Hungarian minority culture and 10 titles of other minority cultures.

105. Provision of financial contributions for subsidized organizations that promote the development of minority cultures, comprise various institutions (theatres, museums, professional ensembles, district libraries and regional cultural centres):

1. Jókai Theatre, Komárno

2. Thália Theatre, Kosice

3. A. Dukhnovich Theatre, Presov

4. Romathan Theatre, Kosice

5. Professional folklore ensemble of Hungarian minority culture "The Young Hearts", Bratislava

6. Semi-professional folklore ensemble of Ruthenians and Ukrainians "PULS", Presov

7. Danubian Museum, Komárno

8. State Museum of Ukrainian-Ruthenian Culture, Svidník

9. Jewish Museum, Bratislava

10. District libraries in ethnically mixed districts of the Slovak Republic

11. Regional cultural centres in ethnically mixed districts.

106. Broadcasting for national minorities in their languages is part of the mass media policy of the Slovak Republic. The obligation to broadcast programmes for the minorities is set out in Act No. 271/93 Coll. on Slovak television and Act No. 166/93 Coll. on measures in the area of radio and television broadcasting.

107. Hungarian broadcasting on Slovak Radio, with the longest tradition of 65 years, broadcasts 35 hours weekly in Bratislava. Broadcasting for the Ukrainian and Ruthenian minorities is secured by the Main Department of National Minority and Ethnic Broadcasting in Presov - 15 hours weekly. In addition, broadcasting for the Romany and German minorities was included in 1993.

108. Slovak Television also has a tradition of presenting programmes for national minorities. The Creative Group for Hungarian National Minority Broadcasting features 3 monthly programmes of 30 minutes, and 1 monthly programme of 30 minutes for the region of Western Slovakia. The 30-minute

Ruthenian national minority programme is broadcast once a month. "Romale", a programme designed for the Romany ethnic minority, is also broadcast once a month and has a 30-minute duration. German national minority programmes (primarily for the so-called Carpathian Germans) started to air in July 1993.

109. For more complete information it should be added that the private broadcasters that operate on the ethnically mixed territory include bilingual elements in their programming. These include private radio stations Radio Local FM Komárno, Radio Star Nové Zámky and cable and television company TV Prometheus Komárno.

110. The Hungarian minority is presented in the parliament through its political parties. It has a total of 17 deputies.

111. From the beginning of its existence, the Slovak Republic has consistently applied all the principles of a democratic country expressed in the fundamental legal regulations of the State. The Slovak Republic may be characterized as a democracy which respects and practically implements the human rights provided for in the International Covenant on Civil and Political Rights.